

Included in this 9th file on
Florida's Don't Say Gay law are the
following articles:

1. Andrew Demiller, *Other states are copying Florida's "Don't Say Gay" efforts* for AP News; 23 March 2023.
2. HRC staff, *ICYMI: New Data Shows Support for LGBTQ+ Rights Reaches Highest Rates Ever Recorded*; 27 March 2023.
3. HRC staff, *BREAKING: Florida Senate Passes Expansion of 'Don't Say LGBTQ+' Bill*; 31 March 2023.
4. HRC, *Business Statement on Anti-LGBTQ State Legislation*, 14 December 2023.
5. Mike Schneider, *Florida teachers can discuss sexual orientation and gender ID under 'Don't Say Gay' bill settlement*, for U.S. News; 11 March 2024.
6. PEN America, *Settlement Allows Teachers to Discuss Sexual Orientation in Florida Classrooms*; 11 March 2024.

Other states are copying Florida's "Don't Say Gay" efforts



FILE - Florida House Representative Michele Rayner, left, hugs her spouse, Bianca Goolsby, during a march at City Hall in St. Petersburg, Fla., Saturday, March 12, 2022, to protest the controversial "Don't Say Gay" bill. Florida's move to expand its prohibition on teaching sexual orientation or gender identity in the classroom comes as Republican lawmakers in other states are pursuing their own versions of what critics have dubbed the "Don't Say Gay" law. (Martha Asencio-Rhine/Tampa Bay Times via AP, File)

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BY **ANDREW DEMILLO**

Published 6:39 PM EDT, March 23, 2023

LITTLE ROCK, Ark. (AP) — Florida's [move to expand its prohibition](#) on teaching sexual orientation or gender identity in the classroom comes as Republican lawmakers in other states are pursuing their own versions of what critics have dubbed [the "Don't Say Gay" law](#).

The prohibition [signed last year by Republican Gov. Ron DeSantis](#), who is widely expected to announce a [presidential run](#) soon, is being copied by GOP lawmakers pushing for similar limits on what can be taught in public schools.

DeSantis and other supporters of the prohibitions portray them as ways to protect children from being taught about inappropriate material. But critics say they are marginalizing LGBTQ people and creating a chilling effect on what teachers and students can discuss.

FLORIDA'S EXPANSION

The Florida state Board of Education is set to vote next month on an effort by DeSantis' administration to ban lessons on sexual orientation and gender identity from grades 4 to 12, unless required by existing state standards or as part of reproductive health instruction that students can choose not to take.

The initial law that DeSantis championed last spring bans those lessons in kindergarten through the third grade, or instruction that could be deemed inappropriate for students.

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Georgia senators again push conservative aims for schools



Sex ed classes in some states may soon watch a fetal development video from an anti-abortion group



Georgia GOP senators seek to ban sexually explicit books from school libraries, reduce sex education

The governor's education department commissioner Manny Diaz Jr. said the DeSantis' administration's move to extend the ban to the 12th grade is intended to clarify confusion around what is deemed age appropriate in later grades and to reinforce that teachers adhere to existing state standards that guide curriculums.

"This rule basically says that we're sticking to the standards, and when you're talking about K through 12 instruction, all the way to 12th grade, these standards don't incorporate gender ideology or any of these theories in math, social studies, reading or anything else," Diaz said at a news conference Thursday.

OTHER STATES

Two other states — Alabama and Arkansas — have enacted laws similar to Florida's since last year.

[Alabama's law](#), signed last year by Republican Gov. Kay Ivey, prohibits classroom instruction in public schools on gender identity or sexual orientation from kindergarten through 5th grade "in a manner that is not age appropriate or developmentally appropriate for students in accordance with state standards."

Arkansas' prohibition was adopted as part of a [145-page education overhaul signed this month](#) by Republican Gov. Sarah Huckabee Sanders that also included a new school voucher program and an increase in teacher minimum pay. The law prohibits classroom instruction on gender identity or sexual orientation before 5th grade.

At least 30 proposals similar to Florida's law have been filed in 16 states, and they vary by ages. They make up more than a quarter of the bills filed this year to restrict what can be taught in the classroom, said Jeremy Young, senior manager of free expression and education at PEN America.

"They have become the second most common proposed speech restriction in state legislatures after anti-critical race theory bills," Young said.

The proposals also come as statehouses have seen a surge of bills this year targeting the transgender community, including proposals to ban gender-affirming medical care for trans

youth.

DeSantis' administration is pushing to expand the state's ban even as GOP lawmakers are advancing a proposal to extend it to the 8th grade.

A [Missouri bill](#) to ban K-12 public school staff from teaching about gender identity and sexual orientation is pending before a House committee.

THE DEBATE

The Florida law reads as follows: "Classroom instruction by school personnel or third parties on sexual orientation or gender identity may not occur in kindergarten through grade 3 or in a manner that is not age appropriate or developmentally appropriate for students in accordance with state standards."

When he signed the bill last year, DeSantis said the measure would "make sure that parents can send their kids to school to get an education, not an indoctrination."

Critics have argued that the law's language is vague and doesn't make clear exactly what constitutes "instruction" or "age appropriate" lessons.

"There's no guidance in any of this, none whatsoever, which has made it the wild, wild west," said Andrew Spar, president of the Florida Education Association.

When the law was first implemented, there were concerns that it would stifle classroom discussions and create an environment where LGBTQ people would feel ostracized. Still, most educators did not expect a major change in lesson plans, given that one of the key criticisms of the law was that teachers do not cover such subjects in early grades.

Opponents of the Florida law and similar proposals say the restrictions are creating a chilling effect on teachers.

"Teachers are wondering, can I put up a rainbow sticker? Can I talk about this LGBTQ+ historical figure? Can I put up a picture of my wife if I'm a woman?" Courtney Avant, legislative counsel for the Human Rights Campaign, said. "That is a big concern, where does the censorship begin and end with these bills?"

THE FALLOUT

Florida's law sparked a feud between the state and Disney, one of the state's largest employers and political donors. Disney publicly opposed the law and said it was pausing political donations in the state.

In what was widely seen as retaliation, the Republican-dominated Legislature approved a measure backed by DeSantis to dissolve a self-governing district controlled by Walt Disney World over its properties in Florida. Lawmakers eventually gave DeSantis control of the board.

The prohibition has also faced court challenges, though one federal lawsuit [was tossed by a judge last month](#). Another lawsuit filed by LGBTQ students, parents and their families — as well as several civil rights groups — remains pending in federal court.

Associated Press writers Anthony Izaguirre in Tallahassee, Florida; Summer Ballentine in Jefferson City, Missouri; and Kim Chandler in Montgomery, Alabama contributed to this report.

**ANDREW DEMILLO**

DeMillo is a government and politics reporter for The Associated Press, based in Little Rock, Arkansas. He has worked for the AP since 2005.



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ICYMI: New Data Shows Support for LGBTQ+ Rights Reaches Highest Rates Ever Recorded

by **HRC Staff** • March 27, 2023



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10% of Americans Now Identify as LGBTQ+

Key Points:

- **10% of Americans now identify as LGBTQ+**

- **Eight in ten Americans favor laws that would protect LGBTQ+ people against discrimination in jobs, public accommodations, and housing**
- **66% of Republicans favor nondiscrimination provisions for LGBTQ+ people**
- **Seven in ten Americans support marriage equality, including nearly half of Republicans**
- **Nearly two-thirds of Americans (65%) oppose religiously based refusals to serve LGBTQ+ people**
- **Majorities of almost every major religious group oppose allowing religiously based service refusals**

Summary of Key Sections

Full findings: [PRRI: Findings From the 2022 American Values Atlas](#)

Eight in Ten Support Nondiscrimination Laws to Protect LGBTQ+ People

Eight in ten Americans (80%) favor laws that would protect gay, lesbian, bisexual, and transgender people against discrimination in jobs, public accommodations, and housing. This includes 48% who *strongly* support such laws. About one in five Americans (18%) oppose these laws, including 7% who *strongly* oppose them. Support for these protections has increased over the past few years: around seven in ten Americans

favored nondiscrimination provisions in 2015 (71%), 2017 (70%), 2018 (69%), and 2019 (72%), before rising to 76% in 2020 and 79% in 2021.

Overwhelming shares of Democrats (90%) and independents (82%), as well as **two-thirds of Republicans (66%), favor nondiscrimination provisions for LGBTQ+ people.**

Vast majorities of most major religious groups support nondiscrimination

protections for LGBTQ+ people. This includes nearly all Unitarian Universalists (92%), members of other non-Christian religions (88%), religiously unaffiliated Americans (87%), Hispanic Catholics (86%), Jewish Americans (86%), white mainline Protestants (83%), and white Catholics (82%). At least three in four Black Protestants (79%), other Catholics of color (79%), Latter-day Saints (78%), Buddhists (78%), Hindus (76%), and other Protestants of color (75%) support nondiscrimination laws to protect LGBTQ+ people. In addition, seven in ten Orthodox Christians (70%) and Muslims (70%) support such laws. A smaller majority of Hispanic Protestants (62%) and white evangelical Protestants (62%) also support nondiscrimination protections for LGBTQ+ people. Jehovah's Witnesses are the religious group whose members are the least likely to support such protections, with support at 50%. **Among almost all these groups, support has either increased or not seen a substantial change since 2015.** Only Hispanic Protestants have decreased in support since 2015.

Majorities of almost every major racial and ethnic group support nondiscrimination

protections for LGBTQ+ people. This includes AAPI (82%), white Americans (80%, up from 71% in 2015), Hispanic Americans (79%, up from 74% in 2015), Black Americans (75%, up from 65% in 2015) and multiracial Americans (79%, up from 72% in 2015).

More Than Two-Thirds Support Marriage Equality

Support for legal same-sex marriage has steadily increased in the United States for nearly a decade. **Nearly seven in ten Americans (69%) favor allowing gay and lesbian couples to marry legally.** The majority of Americans were in support of allowing gay and lesbian couples to marry legally in 2014 and 2015 (54% and 53%, respectively). Support increased to around six in ten Americans in subsequent years (58% in 2016, 61% in 2017, and 62% in 2018 and 2019), and then to around seven in ten in 2020, 2021, and 2022 (67%, 68%, and 69%, respectively). PRRI finds that support for same-sex marriage has consistently grown across virtually all demographics and affiliations, even within groups in which supporters are not the majority.

About half of Republicans (49%) support same-sex marriage, compared to about one-third in 2014 (35%). The level of support among independents has aligned with the level among all Americans, with 73% expressing support in 2022 (up from 58% in 2014). Support has increased among Democrats, going from around two-thirds in 2014 (65%) to more than eight in ten in 2022 (83%).

Two-Thirds Oppose Religiously Based Refusals to Serve LGBTQ+ People

A majority of Americans have consistently opposed permitting businesses to refuse service to LGBTQ+ people on religious grounds, and in 2022 nearly two-thirds of Americans (65%) oppose allowing such refusals. One-third of Americans (33%) support allowing religiously based service refusals, including 15% who *strongly* favor allowing them. Opposition to allowing religiously based service refusals has fluctuated since 2015, when 59% of Americans opposed this policy.

Nearly nine in ten Democrats (86%) and about two-thirds of independents (64%) oppose allowing religiously based refusals to serve gay and lesbian people. About four in ten Republicans (41%) oppose allowing such service refusals, while a majority of Republicans (57%) support allowing them.

Majorities of almost every major religious group oppose allowing religiously based service refusals, including 88% of Unitarian Universalists, 78% of Hispanic Catholics, 77% of Hindus, 77% of members of other non-Christian religions, 76% of religiously unaffiliated Americans, 73% of Black Protestants, 73% of other Catholics of color, 73% of Muslims, 73% of Jewish Americans, 73% of Buddhists, 64% of white Catholics, 63% of Hispanic Protestants, 62% of white mainline Protestants, and 54% of other Protestants of color. Half of Orthodox Christians (51%) and Jehovah's Witnesses (50%), less than half of Latter-Day Saints (46%), and only 37% of white evangelical Protestants also oppose allowing religiously based service refusals. **The level of opposition has increased among every group except Orthodox Christians, Jehovah's Witnesses, Latter-day Saints, and white evangelical Protestants.**

The full report is available on [PRRI's website](#).

The Human Rights Campaign is America's largest civil rights organization working to achieve equality for lesbian, gay, bisexual, transgender and queer people. HRC envisions a world where LGBTQ++ people are embraced as full members of society at home, at work and in every community.

Contact Us

To make a general inquiry, please visit our contact page. Members of the media can reach our press office at: (202) 572-8968 or email press@hrc.org.

Love conquers hate.

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BREAKING: Florida Senate Passes Expansion of 'Don't Say LGBTQ+' Bill

by **HRC Staff** • March 31, 2023



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Bill Designed to Double Down on Governor's Agenda of Curriculum Censorship

Tallahassee, Florida – Today, the Human Rights Campaign (HRC), the nation's largest lesbian, gay, bisexual, transgender and queer (LGBTQ+) civil rights organization, condemns Florida's Senate for advancing House Bill 1069, which would expand Gov. Ron DeSantis's shameful "Don't Say LGBTQ+" law.

HB 1069 targets LGBTQ+ youth and educators by banning instruction on sexual orientation or gender identity from Pre-K through 8th grade and forcing school staff and students to misgender one another. The bill is designed to double down on the governor's agenda of curriculum censorship that has already led to book banning, the removal of Safe Space stickers from classroom windows, and refusals to recognize LGBTQ+ History Month. The Senate is considering a similar bill, SB 1320.

In response, HRC's Legislative Counsel Courtney Avant released the following statement:

“LGBTQ+ youth are already struggling with the weight of discrimination both inside and outside of the classroom. HB 1069 does nothing to alleviate the burdensome stigma and isolation that they face. Instead, this impossible-to-comply-with bill intentionally blocks teachers from providing the safe and inclusive spaces that LGBTQ+ youth so desperately need. To be clear: there is nothing inappropriate about being LGBTQ+ or in acknowledging LGBTQ+ issues and people in the classroom. The Human Rights Campaign strongly condemns this discriminatory bill and will continue fighting for Floridians who deserve to exist freely and proudly.”

Last week, Gov. DeSantis proposed to expand his shameful “Don’t Say LGBTQ+” bill to all grades. The proposal, which would not require legislative approval, is scheduled for a vote next month before the state Board of Education and has been put forth by the state Education Department, both of which are led by appointees of the governor. The rule change would ban lessons on sexual orientation and gender identity from fourth to twelfth grade unless required by state standards or as part of a reproductive health course that parents can opt students out of. DeSantis’ initial law, [passed last year](#), bans those lessons in kindergarten through third grade.

So far in 2023, HRC is tracking more than 470 anti-LGBTQ+ bills that have been introduced in statehouses across the country. More than 190 of those bills would

specifically restrict the rights of transgender people, the highest number of bills targeting transgender people in a single year to date.

This year, HRC is tracking:

- More than 110 bills that would prevent trans youth from being able to access age-appropriate, medically-necessary, best-practice health care; this year, nine have already become law in Arkansas, Tennessee, Mississippi, South Dakota, Utah, Iowa, Georgia, Kentucky and now West Virginia.
- More than 25 bathroom ban bills filed,
- More than 85 curriculum censorship bills and 40 anti-drag performance bills.

In [a coordinated push led by national anti-LGBTQ+ groups](#), which deployed vintage discriminatory tropes, politicians in statehouses across the country introduced 315 discriminatory anti-LGBTQ+ bills in 2022 and 29 passed into law. Despite this, fewer than 10% of these efforts succeeded. The majority of the discriminatory bills – 149 bills – targeted the transgender and non-binary community, with the majority targeting children receiving the brunt of discriminatory legislation. By the end of the 2022 legislative session, a record 17 bills attacking transgender and non-binary children passed into law.

Anti-LGBTQ+ legislation in 2022 took several forms, including:

- 80 bills aimed to prevent transgender youth from playing school sports consistent with their gender identity. 19 states now exclude transgender athletes in school sports.
- 42 bills to prevent transgender and non-binary youth from receiving life-saving, medically-necessary gender-affirming healthcare. 5 states now restrict access to gender-affirming care.

- 70 curriculum censorship bills tried to turn back the clock and restrict teachers from discussing LGBTQ+ issues and other marginalized communities in their classrooms. 7 passed into law.

[More than 300 major U.S. corporations](#) have stood up and spoken out to oppose anti-LGBTQ+ legislation being proposed in states across the country. Major employers in tech, manufacturing, hospitality, health care, retail, and other sectors are joining with a unified voice to say discrimination is bad for business and to call on lawmakers to abandon these efforts. [Four of the largest U.S. food companies](#) also condemned “dangerous, discriminatory legislation that serves as an attack on LGBTQ+ individuals, particularly transgender and nonbinary people,” and the [Walton Family Foundation issued a statement](#) expressing “alarm” at the trend of anti-transgender legislation that recently became law in Arkansas.

According to [the latest data this year from PRRI](#), support for LGBTQ+ rights is on the rise in Florida and nationwide: 80% of Florida residents support nondiscrimination protections, and 66% of Florida residents oppose refusal of service on religious grounds. About eight in ten Americans (80%) favor laws that would protect LGBTQ+ people against discrimination in jobs, public accommodations, and housing. This reflects a dramatic increase in the proportion of Americans who support nondiscrimination protections since 2015, when it was 71%.

The Human Rights Campaign is America's largest civil rights organization working to achieve equality for lesbian, gay, bisexual, transgender and queer people. HRC envisions a world where LGBTQ+ people are embraced as full members of society at home, at work and in every community.

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Business Statement on Anti-LGBTQ State Legislation

The companies joining this statement do business, create jobs, and serve customers throughout the United States. Our businesses strongly embrace diversity and inclusion because we want everyone who works for us or does business with us to feel included and welcomed as their true, authentic selves. Fairness, equal treatment, and opportunity are central to our corporate values because we care about our employees and the customers we serve. What's more, these values also matter to our bottom lines. Inclusive business practices lead to more productive and engaged employees, increased customer satisfaction; and, ultimately, improved competitiveness and financial performance.

We are deeply concerned by the bills being introduced in state houses across the country that single out LGBTQ individuals - many specifically targeting transgender youth - for exclusion or differential treatment. Laws that would affect access to medical care for transgender people, parental rights, social and family services, student sports, or access to public facilities such as restrooms, unnecessarily and uncharitably single out already marginalized groups for additional disadvantage. They seek to put the authority of state government behind discrimination and promote mistreatment of a targeted LGBTQ population.

These bills would harm our team members and their families, stripping them of opportunities and making them feel unwelcome and at risk in their own communities. As such, it can be exceedingly difficult for us to recruit the most qualified candidates for jobs in states that pursue such laws, and these measures can place substantial burdens on the families of our employees who already reside in these states. Legislation promoting discrimination directly affects our businesses, whether or not it occurs in the workplace.

As we make complex decisions about where to invest and grow, these issues can influence our decisions. **America's business community has consistently communicated to lawmakers at every level that such laws have a negative effect on our employees, our customers, our competitiveness, and state and national economies.**

As business leaders dedicated to equal treatment, respect, and opportunity for all - as well as to improving the financial and investment climate across the country - **we call for public leaders to abandon or oppose efforts to enact this type of discriminatory legislation and ensure fairness for all Americans.**

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U.S. NEWS

Florida teachers can discuss sexual orientation and gender ID under 'Don't Say Gay' bill settlement



FILE - Florida Gov. Ron DeSantis signs the Parental Rights in Education bill, also known as the “Don’t Say Gay” bill, at Classical Preparatory School, March 28, 2022, in Shady Hills, Fla. Students and teachers will be able to speak freely about sexual orientation and gender identity in Florida classrooms, provided it’s not part of instruction, under a settlement reached Monday, March 11, 2024, between Florida education officials and civil rights attorneys who had challenged a state law which critics dubbed “Don’t Say Gay.” (Douglas R. Clifford/Tampa Bay Times via AP, File)

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BY **MIKE SCHNEIDER**

Updated 6:23 PM EDT, March 11, 2024

ORLANDO, Fla. (AP) — Students and teachers can discuss sexual orientation and gender identity in Florida classrooms, provided it’s not part of instruction, under a settlement reached Monday between Florida education officials and civil rights attorneys who had challenged a state law which critics dubbed [“Don’t Say Gay.”](#)

The settlement clarifies what is allowed in Florida classrooms following passage two years ago of the law prohibiting instruction on sexual orientation and gender identity in early grades. Opponents said the law had created confusion about whether teachers could identify themselves as LGBTQ+ or if they even could have rainbow stickers in classrooms.

[Other states](#) used the Florida law as a template to pass prohibitions on classroom instruction on gender identity or sexual orientation. Alabama, Arkansas, Indiana, Iowa, Kentucky and North Carolina are among the states with versions of the law.

Under the terms of the settlement, the Florida Board of Education will send instructions to every school district saying the Florida law doesn't prohibit discussing LGBTQ+ people, nor prevent anti-bullying rules on the basis of sexual orientation and gender identity or disallow Gay-Straight Alliance groups. The settlement also spells out that the law is neutral — meaning what applies to LGBTQ+ people also applies to heterosexual people — and that it doesn't apply to library books not being used for instruction in the classroom.

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At least 17 people died in Florida after medics injected sedatives during encounters with police



Here are 14 players to watch next season across the Atlantic Coast Conference



New federal rule bars transgender school bathroom bans, but it likely isn't the final word

The law also doesn't apply to books with incidental references to LGBTQ+ characters or same-sex couples, "as they are not instruction on sexual orientation or gender identity any more than a math problem asking students to add bushels of apples is instruction on apple farming," according to the settlement.

"What this settlement does, is, it re-establishes the fundamental principal, that I hope all Americans agree with, which is every kid in this country is entitled to an education at a public school where they feel safe, their dignity is respected and where their families and parents are welcomed," [Roberta Kaplan](#), the lead attorney for the plaintiffs, said in an interview. "This shouldn't be a controversial thing."

In a statement, Florida Gov. Ron DeSantis's office described the deal as a "major win" with the law formally known as the Parental Rights in Education Act remaining intact.

"We fought hard to ensure this law couldn't be maligned in court, as it was in the public arena by the media and large corporate actors," said Ryan Newman, an attorney for the state of Florida. "We are victorious, and Florida's classrooms will remain a safe place under the Parental Rights in Education Act."

The law has been championed by the Republican governor since before its passage in 2022 by the GOP-controlled Florida Legislature. It barred instruction on sexual orientation and gender identity in kindergarten through the third grade, and it was expanded to all grades last year.

Republican lawmakers had argued that parents should broach these subjects with children and that the law protected children from being taught about inappropriate material.

But opponents of the law said it created a chilling effect in classrooms. Some teachers said they were unsure if they could mention or display a photo of their same-sex partner in the classroom. In some cases, books dealing with LGBTQ+ topics were removed from classrooms and lines mentioning sexual orientation were excised from school musicals. The Miami-Dade County School Board in 2022 decided not to adopt a resolution recognizing LGBTQ History Month, even though it had done so a year earlier.

The law also triggered the ongoing legal battles between DeSantis and Disney [over control of the governing district](#) for Walt Disney World in central Florida after DeSantis took control of the government in what the company described as retaliation for its opposition to the legislation. DeSantis touted the fight with Disney during his run for the 2024 GOP presidential nomination, which [he ended](#) earlier this year.

The civil rights attorneys sued Florida education officials on behalf of teachers, students and parents, claiming the law was unconstitutional, but the case was dismissed last year by a federal judge in Tallahassee who said they lacked standing to sue. The case was appealed to the Eleventh Circuit Court of Appeals.

Kaplan said they believed the appellate court would have reversed the lower court's decision, but continuing the lawsuit would have delayed any resolution for several more years.

"The last thing we wanted for the kids in Florida was more delay," Kaplan said.

Follow Mike Schneider on X, formerly known as Twitter: [@MikeSchneiderAP](https://twitter.com/MikeSchneiderAP).

MIKE SCHNEIDER

I cover census, demographics, Florida and related topics.





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SETTLEMENT ALLOWS TEACHERS TO DISCUSS SEXUAL ORIENTATION IN FLORIDA CLASSROOMS

"A Step Forward," Says PEN America, but Won't End Fight Against Dangerous "Don't Say Gay" Law

FOR IMMEDIATE RELEASE

March 11, 2024

(MIAMI)— The settlement **announced** today in *Equality Florida v. Florida State Board of Education*, which clarified the limited scope of Florida's HB 1557, known as the "Don't Say Gay" bill, is "a step in the right direction" for free expression in Florida schools, said PEN America. The writers and free speech organization expressed relief that the bill can no longer be used to subject students and teachers to the most extreme interpretations of its restrictions, while noting that the statute remaining in effect continues to harm Florida's students.

"This is a step in the right direction, but the fight against this dangerous law continues— learning about diverse families should not be off-limits in Florida schools," said Katie Blankenship, director of PEN America's Florida office. "Thankfully, this settlement will bring books back to the shelves and restore open discourse on LGBTQ+ identity in our classrooms. But even with this victory and the clarification that the settlement provides, "Don't Say Gay"

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continues to chill protected expression and prevent age-appropriate education on important topics, on the basis of partisan ideology.”

The Florida bill inspired similar legislation in other states.

The settlement will require the Florida Board of Education to instruct all Florida school districts that HB 1557 does not prohibit teachers and students from discussing LGBTQ+ identity, prevent anti-bullying measures, or disallow student groups supporting LGBTQ+ individuals. The agreement also clarifies that the law does not apply to library books that are not a part of classroom instruction or curricula, and makes clear that the law does not ban “literary references to a gay or transgender person or to a same-sex couple” in classroom material.

While the settlement helps prevent overbroad interpretations of the bill and may mitigate its chilling effect, HB 1557 remains the law in Florida, and much of its harmful content will continue intact. Specifically, the statute, combined with Florida Department of Education instruction and [HB 1069](#) (passed into law in 2023), continue to prohibit instruction on sexual orientation and gender identity through the 12th grade. And while the settlement agreement ensures that the prohibitions against classroom instruction on sexual orientation and gender identity through the third grade will be applied neutrally to both LGBTQ+ and heterosexual identities, the restrictions remain in place nonetheless.

The DeSantis administration has claimed the settlement as a victory, [stating](#) that the agreement will ensure that HB 1557 will remain in place to protect children from “radical gender and sexual ideology in the classroom.”

Blankenship said: “This celebration seems far-fetched considering that DeSantis’ flagship Stop WOKE legislation just suffered a [devastating blow in the 11th Circuit Court of Appeals](#) and PEN America’s lawsuit to return books to the shelves in Escambia County also [continues despite the state’s attempts to the contrary](#). [DeSantis has himself admitted that book bans go too far](#). It seems that Florida is not in fact where ‘woke’ goes to die.”

PEN America has consistently spoken out against HB 1557 since it was introduced in 2022. Following its passage, PEN America CEO Suzanne Nossel [called](#) the bill a “government diktat policing the speech of students and teachers in violation of the First Amendment” and identified it as “part of a wave of intrusive bills

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Statement Regarding
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and laws that forcibly insert politics and ideology into realms that belong in the hands of educators, parents, and children.”

About PEN America

PEN America stands at the intersection of literature and human rights to protect free expression in the United States and worldwide. We champion the freedom to write, recognizing the power of the word to transform the world. Our mission is to unite writers and their allies to celebrate creative expression and defend the liberties that make it possible. Learn more at pen.org.

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Tags: 'Don't Say Gay', Equality Florida v. Florida State Board of Education, First Amendment, Florida, Free Expression, teachers Genre: Press Release Topic: education censorship, Free Expression, K-12 schools, LGBTQ rights Category: News & Analysis Country: United States

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